

METROPOLITAN AREA PLANNING COMMISSION

MINUTES

February 7, 2002

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on Thursday, February 7, 2002, at 1:30 P.M., in the Planning Department Conference Room, 10th floor, City Hall, 455 North Main, Wichita Kansas. The following members were present: Jerry Michaelis (absent), Chair; Bud Hentzen, Vice-Chair; Ron Marnell; Don Anderson; John McKay, Jr.(absent); Bill Johnson; Dorman Blake; Harold Warner (absent); Elizabeth Bishop; Frank Garofalo; Ray Warren; Kerry Coulter; James Barfield (absent); and David Wells. Staff members present were: Marvin S. Krout, Secretary; Dale Miller, Assistant Secretary; Neil Strahl, Senior Planner; Bill Longnecker, Senior Planner; Scott Knebel, Senior Planner; Donna Goltry, Principal Planner; Jamsheed Mehta, Chief Planner, Transportation Planning and Valerie Robinson and Lisa Estrada, Recording Secretary.

1. Approval of the MAPC minutes for January 10, 2002.

BISHOP Comments about the structure and the format of the minutes. She feels they need to be discussed at the retreat in March. Her concern is that they lack complete sentences.

MOTION: That the minutes for January 10, 2002 be approved.

WARREN moved, **BISHOP** seconded the motion, and it carried unanimously (10-0).

2. Consideration of Subdivision Committee Recommendations

2-1. DED2002-01 – Dedication of Access Control, generally located on the south side of 61st Street North, west of Seneca.

MOTION: To approve Item 2-1.

COULTER moved, **BLAKE** seconded the motion, and it carried unanimously (10-0).

OPENING STATEMENT – PRESENTATION

KROUT Advises the audience that the Conditional Use case concerning the rock crusher on North Ohio Street has been pulled off the agenda and deferred and wanted to make sure nobody is in the audience to speak to that item

ZONING:

3a. ZON2001-00076- Keith Harris (owner); Baughman Company, P.A., Phil Meyer (agent) requests a Zone Change from "SF-5" Single-Family Residential, "B" Multi-Family Residential to "LC" Limited Commercial and;

3b. CON2001-00068 – Keith Harris (owner); Baughman Company, P.A., Phil Meyer (agent) requests a Conditional Use request for vehicle and equipment sales on property described as:

The north 52 feet of the east 135 feet of Lot 5, Block 16, Parkwilde Addition to the City of Wichita, Sedgwick County, Kansas, TOGETHER WITH Lot 5, EXCEPT the north 52 feet of the east 135 feet thereof; TOGETHER WITH the east 80 feet of Lot 6, TOGETHER with the east 80 feet of the north 97 feet of Lot 8, Block 16, Parkwilde Addition to Wichita, Sedgwick County, Kansas, TOGETHER WITH Lot 7, EXCEPT the south 23 feet of the west 130 feet, and EXCEPT the south 85 feet of the east 170 feet thereof, Block 16, Parkwilde Addition to Wichita, Sedgwick County, Kansas. Generally located West of North West Street between 2nd and 3rd Streets (323 N. West Street).

BACKGROUND: The applicant requests "LC" zoning and a Conditional Use for vehicle and equipment sales on a vacant 1.65-acre site located on the west side of North West Street, between 2nd and 3rd Streets. The front halves of these three lots are zoned "B" Multi-family, the back half of the site is zoned "SF-5." North of the application area is an existing motorcycle sales and maintenance business under the same ownership as the application area, this property was rezoned to "GC" General Commercial in 1976.

The applicants intend to replat the application area into one lot developed with a motorcycle sales facility. The motorcycle sales facility will be primarily vehicle and equipment sales, with a maximum of 1000 square feet designated for retail sales of clothing, accessories, etc. Planning staff met with the applicant and his agent, and are in agreement with the proposed site plan and proposed conditions for the associated Conditional Use request for vehicle and equipment sales in "LC." The attached site plan demonstrates the applicant's efforts to mitigate negative impacts on residential neighbors through the use of a 15-foot compatibility setback, screening, conservation of existing trees, and additional planted trees to double the 1 per 40-foot requirement.

North of the existing motorcycle sales on West is an "LC" zoned property developed with a Southwestern Bell facility. South of the application area on West Street are several "LC" zoned properties; a house converted to a hair salon abutting the application area, and Cargo Properties LLC further to the south. East of the application area on West are "LC" zoned properties developed with a

television station, a skating rink, and a car wash. West of the application area are "SF-5" zoned lots developed with single-family housing.

The proposed zone change, from "B" and "SF-5" to "LC," and the proposed development would require conformance to all property development standards in the *Unified Zoning Code*.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH: "GC," "LC"	existing motorcycle sales, Southwestern Bell
SOUTH: "LC"	hair salon, Cargo Properties LLC
EAST: "LC"	television station, skating rink, car wash
WEST: "SF-5"	single-family homes

PUBLIC SERVICES: The property is located along North West Street, a four-lane arterial section line road. The traffic count in March of 2000 along this section of West was 19,703 cars per day (ADTs); the projected traffic volume for 2030 is 24,516 cars per day.

The existing half-width right-of-way for West at the application area is 30 feet. No street projects are included in the C.I.P. for the immediate area, the Wichita-Sedgwick County *2030 Transportation Plan* indicates that this portion of West Street will become a 5-lane arterial. No utility easements exist within the application area.

City water and sewer are available at the application area.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* identifies this area as "Commercial."

RECOMMENDATION: This zone change request is in conformance with the *Comprehensive Plan* "Wichita Land Use Guide" and "Commercial Locational Guidelines." As this property is redeveloped, the *Unified Zoning Code* property development standards for screening, landscaping, and lighting will mitigate any negative impacts on nearby residential properties. Planning staff met with the applicant and his agent, and are in agreement with the proposed site plan and proposed conditions for the associated Conditional Use request for vehicle and equipment sales in "LC." The applicant is also in agreement with staff concerning a recommended replat of the application area into one lot, through which the applicant will be expected to provide a recommended 20-foot right-of-way dedication on West street, a recommended dedication of access control on West except for one point of access, and a cross lot circulation agreement between the application area and the property to the immediate north under the same ownership.

Based upon information available prior to the public hearings, planning staff recommends that the zone change request be APPROVED, subject to replatting into one parcel within one year. Staff also recommends that the associated Conditional Use request for Vehicle and Equipment Sales in "LC" be APPROVED, subject to the following Conditions:

1. The Conditional Use shall be subject to the approved site plan.
2. Visual screening of areas contiguous to residential zoning districts shall be provided to protect adjacent properties from light, debris, and noise and to preserve adjacent property values.
3. All parking, storage and display areas shall be paved with concrete, asphalt, or asphaltic concrete.
4. The lighting standards of the Unified Zoning Code Section IV-B.4. shall be complied with. No string-type or search lighting shall be permitted.
5. The compatibility noise standards of the Unified Zoning Code Section IV-C.6 shall be complied with. Outdoor speakers and sound amplification systems shall not be permitted.
6. No repair work shall be conducted on the site.
7. Only those signs permitted in the "LC" zoning district shall be permitted on this site, except that no portable, flashing, moving or off-site signs shall be permitted and no streamers, banners, pennants, pinwheels, commercial flags, bunting or similar devices shall be permitted.
8. There shall be no use of elevated platforms for the display of vehicles.
9. There shall be no test driving of vehicles on the site.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: All other properties along this section of West Street are zoned "LC" or "GC" and developed with non-residential uses, including existing motorcycle sales to the immediate north of the application area. This section of West Street is an older commercial strip, the proposed development should not detract from the character of the neighborhood. The applicant has agreed to compatibility buffers, screening, and exceeding the landscape ordinance requirements in order to mitigate any negative impacts on residential neighbors.
2. The suitability of the subject property for the uses to which it has been restricted: The vacant property could be developed for single and multi-family housing, as it is currently zoned. However, the commercial strip character of this section of West Street makes this area unattractive for a residential area.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of "LC" zoning at the application area will allow for more intensive development than the current zoning permits. The *Unified Zoning Code* property development standards for screening, landscaping, noise, and lighting will mitigate any negative impacts on the nearby residential properties to the west; likewise, recommended conditions for the proposed vehicle and equipment sales Conditional Use should mitigate any negative impacts on the nearby residential properties.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested zoning change is in conformance with the *Comprehensive Plan* "Wichita Land Use Guide," and it is in conformance with the commercial locational guidelines of the plan.
5. Impact of the proposed development on community facilities: The proposed motorcycle sales at this location will generate more traffic than the current vacant lot; however, the proposed use should not generate as much traffic as currently permitted multi-family residential uses. The dedication of additional street right-of-way, limiting access control, and providing for cross-lot circulation will address potential increased demand on community facilities.

JESS MCNEELY, (Planning Staff) Presented the staff report.

RUSS EWY (agent for Baughman Company) Noted they were in agreement with the staff recommendation and they were here to answer any questions the Planning Commission may have.

HENTZEN Anyone in the audience to speak on 3a and 3b?

MOTION: Move to approve Item 3a and 3b subject to staff comments and recommendations

JOHNSON moved, **ANDERSON** seconded the motion, and it carried unanimously (10-0).

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4. **ZON2001-00069** – Kansas Gas & Electric Company c/o Hazel E. Sutherland (owner/applicant); Ritchie Corporation c/o H. T. Ritchie (contract purchaser); Baughman Company PA c/o Russ Ewy (agent) request Zone change from "SF-5" Single-Family Residential to "LI" Limited Industrial on property described as:

A tract of land in the SW 1/4 of Sec. 20 and the NW 1/4 of Sec. 29, Twp. 26-S, R-1-E of the 6th P. M., Sedgwick County, Kansas, being more particularly described as follows: Beginning at a point on the south line of said Sec. 20, 118.22 feet east of the SW corner of said Sec. 20; thence N39 degrees 51'00"E for a distance of 165.53 feet; thence N20 degrees 52'00"W for a distance of 22.62 feet; thence N68 degrees 59'00"E for a distance of 68.44 feet; thence N83 degrees 37'00"E for a distance of 175.00 feet; thence S71 degrees 28'00"E for a distance of 247.72 feet to a point of curvature; thence along a 12 degrees 51.02' curve to the right described by the following chord bearings and distances: S68 degrees 12'00"E for a distance of 50.98 feet; thence S58 degrees 30'00"E for a distance of 99.79 feet; thence S45 degrees 39'00"E for a distance of 59.22 feet to the south line of said Sec. 20 to a point described as being 772.88 feet west of the SW corner of said Sec. 20, said point is calculated at a distance of 863.72 feet; thence continuing along a 12 degrees 51.02' curve to the right described by the following chord bearings and distances: S45 degrees 39'00"E for a distance of 40.57 feet; thence S32 degrees 48'00"E for a distance of 99.79 feet; thence S19 degrees 57'00"E for a distance of 99.79 feet; thence S03 degrees 35'00"E for a distance of 153.91 feet to a point of tangency; thence S06 degrees 21'00"W for a distance of 69.66 feet; thence S02 degrees 00'00"E for a distance of 130.11 feet per recorded tract numbers 73(A), 73(B), and 76 of the Chisholm Creek Diversion, Condemnation Case A-39338; thence S02 degrees 00'00"E for a distance of 19.60 feet to the intersection of a 15 foot offset of the centerline of the railroad tracks; thence on a curve to the left a length of 37.02 feet having a radius of 545.47 feet with a chord bearing of S66 degrees 52'05"W for a distance of 37.01 feet to a point of tangency; thence S63 degrees 40'18"W for a distance of 213.89 feet being parallel with said railroad tracks and 15 foot offset of centerline thereto; thence on a curve to the right a length of 50.17 feet having a radius of 458.05 feet with a chord bearing of S68 degrees 43'27"W for a distance of 60.13 feet being parallel with said railroad tracks and a 15 foot offset of centerline thereto; thence N04 degrees 7'21"W for a distance of 282.82 feet; thence on a curve to the left a length of 48.46 feet having a radius of 28.15 feet; with a chord bearing of N53 degrees 56'06"W for a distance of 42.69 feet; thence S76 degrees 45'09"W for a distance of 224.83 feet; thence S88 degrees 09'16"W for a distance of 398.01 feet; thence parallel with west line of said NW 1/4 of Sec. 29, N00 degrees 19'00"W for a distance of 393.95 feet; thence N39 degrees 51'00"E for a distance of 94.32 feet; thence N89 degrees 57'00"E for a distance of 27.76 feet to the point of beginning. Said tract contains 566,680.00 + Sq. Ft. Generally located North of I-235 and east of Seneca.

KNEBEL Presented background information to the Planning Commission.

JOHNSON The District Advisory Board recommended the item to be deferred?

KNEBEL Yes, to give the applicant time to answer questions regarding the environmental issues. Some inspections of the site haven't been done yet and so forth.

EWY We are in agreement with the staff recommendations following Monday's District Advisory Board.

HENTZEN Anyone in the audience to speak on Agenda Item #4?

JACK DEATHERAGE (4234 N. Seneca, Wichita, KS 67204), Stated there was erroneous information in the original staff report about how the property is bounded. Homeowners are on all four sides of this oil storage tank facility. These tanks were built in the 1930's. The tanks are totally incompatible in a residential area. He expressed concerns about traffic issues.

KROUT The applicant and OCI are working together on the environmental and the traffic issues.

MOTION: Defer until March 7, 2002.

WARREN moved, **GAROFALO** seconded the motion, and it carried unanimously (10-0).

5. **ZON2001-00073** – Bentley Growth LLC, L. E. Billenger (owners); Harlan Foraker (agent) request a Zone Change from “RR” Rural Residential to “SF-20” Single-Family Residential on property described as :

The East One-Half (E1/2) of the Northeast Quarter (NE/4) of Section 14, Township 25 South, Range 2 West of the 6th P.M., lying South of the abandoned Right-of-Way of the St. Louis and San Francisco Railroad
AND

All that portion of the Burlington Northern Railroad Company's (formerly St. Louis-San Francisco Railway Company) Valley Center to Medora, Kansas Branch line Right-of-Way, now discontinued, on each side of said railroad company's main tract center line as originally located and constructed upon, over and across Sedgwick County, Kansas, but limited however to that portion of said Right-of-Way being 50.00 feet wide on the South side of said main tract centerline and abutting the following described property:

The East Half of the Northeast Quarter of Section 14, Township 25 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, lying South of said Right of Way. Except the East 30 feet for Section line road. Generally located West of 135th Street West, ¼ to ½ mile south of 109th Street North, in the Bentley, KS area of influence.

JESS MCNEELY, (Planning Staff), The Bentley Planning Commission, recommended denial of this request. Staff is recommending denial, primarily because this property is located in the Equus Beds. There are several things to bring to your attention. Attached to your staff report is a letter from a neighbor also requesting denial. We have provided you with a report from the Equus Beds Management, recommending that this development not be permitted to use individual septic tanks and individual water wells. Likewise, we have included a City of Wichita Resolution opposing a similar development also located in the Equus Beds. The name of that development was Forrest Ridge. It was a similar development proposal with increased density due to a requested zone change. The proposed development would have been on individual septic tanks and individual water wells. We refer to that resolution in the staff report so I wanted you to know that you have that in front of you. Also, there is a letter from the Water Department opposed to the zone change. Also there is a letter from the Agent to the applicant requesting deferral of this case. The Agent for the applicant is here to request that deferral. Staff at this point is recommending that we do not defer this request basically because the applicant has requested deferral based on one particular issue. Staff is recommending denial based on several issues. Likewise there are several neighbors present here today who are opposed to the rezoning. We have representatives from the City Water Department and City Environmental Health here to speak against this case. I have the staff report ready to present, but since the applicant is requesting deferral I will ask the Planning Commission what you would like to do with this item.

WARREN I would like to hear from the applicant.

HENTZEN Let's have the staff report presented although you already gave it to us.

MCNEELY Presented the staff report and history on the case. The Planning Department is recommending denial because it is located in the Equus Beds which is the primary water supply for all citizens in Sedgwick County. Planning Department also feels that 36 additional homes at that location would be beyond the capacity of the dirt road at that location.

HARLAN FORAKER, P.E., (810 W. Douglas, Suite C, Wichita, KS 67203, Agent) Indicated last Friday he requested a deferral. The Bentley Planning Commission's denial of the case was based on the thought that a policy for onsite individual septic systems was not in place, and until such time that an individual onsite alternative system policy was in place by Sedgwick County they recommended denial, at that point in time. Subsequent to that I have visited with the Director of Code Enforcement for Sedgwick County, also with Mr. Weber, the Deputy Director for Sedgwick County, and they tell me that they are in the process of evaluating the current Sedgwick County Sanitary Codes to see if they can permit individual onsite systems, alternative systems within the current sanitary codes or whether they will need to develop a separate policy for them. Mr. Wiltse did tell me that they do intend to develop a policy in order to address installation on individual one-lot developments or multiple lot developments. We feel like once that policy gets developed, that we will have a basis for going back to the Planning Commission of Bentley, presenting that to them, and asking them to reconsider so that we can come back to this Board with what we hope will be a favorable vote. Time wise we would like to have a deferral of four to six weeks at least. Code Enforcement has told us that their time line is a maximum of three months, but depending on how Sedgwick County works this, we would hope that they would be sooner than this. I will say that the Bentley Planning Commission made no reference to having a problem with the land use that is intended here, and they made specific mention that the water that would be used here is going to come from the Equus Beds anyway, if it is put on public water, because the City of Bentley water system is served raw water from the City of Wichita pipeline which comes from the Equus Beds and the wells in that area. So it was primarily the issue with regard to onsite systems, and I will say that I have advised the developer, and we are intending to implement alternative onsite septic systems. Not your standard septic systems. We believe Sedgwick County has evaluated these systems, and that they work. They are in process right now of developing a policy that will allow them to oversee their installation and oversee their maintenance and how to manage these systems. We are willing to wait and we would ask you to consider our request for deferral I am not prepared today to give you our full presentation on this project. We will most likely have legal representation when we do that because I am not perhaps the best presenter of that sort of program. So, based upon that, I know that there are residents here and we have no problem with you listening to their concerns. That is fine. But based upon that we would ask that this deferral be granted so that we can come and have an answer to each of these issues that the Planning Department has brought up. Because we feel we have a legal bases to address each of these issues that have been brought up and would like the opportunity to have everything in place to make that presentation.

BISHOP I have a question about the alternative system that you are talking about. Because that appears to be in large part the reason for your request for a deferral. Do I interpret that to mean in the first paragraph of your letter that what you are proposing are alternative sewage disposal systems that are self-contained within each lot? It is not going to be a community system?

FORAKER It will not be a community system. It will be individual systems for each lot.

BISHOP You have been given the understanding that Sedgwick County is planning on developing a policy on that? I would assume that the process of developing the policy of having an alternative waste disposal system on individual lots will receive public comment at the County and I would hope not just at the County Commission meeting and even brought here.

WARREN How far is that from Bentley?

FORAKER From the east edge of what you see of the City size lots for Bentley to 135th would be ½ mile.

WARREN Is there any possibility of rural water in that area?

FORAKER There is not a rural water district in that area. The nearest is the City of Bentley public water system.

WARREN Does Bentley have some kind of a restriction that says that it cannot provide water unless you are annexed?

FORAKER I don't believe they have such a policy. I know they do have an agreement with the City of Wichita as to how much water that they can purchase or are allowed to purchase from the City.

WARREN This can be developed under our existing subdivision regulations with large tract developments, right now. So the question is not whether it can be developed or not. Is there any possibility that you could accept zoning as you have asked for with some sort of protective overlay restriction on it to say that you approve to having an alternative sewer plan so that you couldn't build on it until we got that.

FORAKER And quite honestly that was the basis of our presentation to the Bentley Planning Commission. That we would be agreeable to have the condition placed on this of their approval if they were to approve it based on those alternative onsite systems policy being developed. I will say the policy or the current draft policy that Sedgwick County has, I was stopped a little short at the Bentley Planning Commission because it does say in there community system. And therefore that is why they came up with their concern about having individual onsite systems, and whether or not a policy was even being considered by Sedgwick County. I could not represent to them, but it was, my belief that it was and I confirmed that the following day and that they are indeed considering such a policy.

GAROFALO Sir, has your applicant explored with the City of Bentley and the City of Wichita the possibility of annexation?

FORAKER We have approached the City of Bentley for annexation if not once, then twice. I will give you a little explanation. This property owner was approached by another individual and he did pursue annexation with the City of Bentley at least on two occasions. The City of Bentley has indicated no desire. They have a 61 acre development in this area, they have recently approved with the budget they have this is a full plate for them.

HENTZEN I have a question Mr. Foraker, what does the City of Bentley do with its sewage now?

FORAKER They have a waste water lagoon about ¾ of a mile west of town.

HENTZEN That is for the whole City. That area they approved with annexation that you just pointed out, is that where the sewage water is going, into that lagoon?

FORAKER That is correct. It would be into the City system and ultimately disposed of in their existing waste water lagoon.

HENTZEN Okay.

OBESSIE E BLACK (10750 N. 135th W., Sedgwick, KS 67135), First of all I would like you to put yourself in my shoes. We're on a fixed income. My husband has Parkinson disease. This is the most terrible road you have rode on. This ground, I have lived out there for 40 years, this is very sandy ground. That means if these houses are going to be put on this ground, where are you going to put these laterals. No matter how good these septic tanks are, if there are 36 of them where are you going to put these laterals? In your neighbors yard? We drink that water. It is polluted now. A little further its cleaner. I strongly oppose this housing project. Our taxes will go up. Put yourself on a fixed tax income. Plus all of these people will have propane tanks and propane is 68 cents a gallon now. Fill a 300 gallon tank and see if you can by this property and foot the bills.

HENTZEN Any questions of the speaker?

WARREN How big of an acreage do you have?

BLACK We have 1½ acres.

WARREN What kind of sewer system do you have?

BLACK We do have a septic tank. That is the only choice that we have. But that is not 36 septic tanks.

JACK GARVEY, (Resident of Bentley, former Mayor in the 80's). I received a letter from a farmer in Burton Kansas. He said he bought 80 acres with the stipulation that he intended to have agriculture there. He punched down some wells, he found salt water, and water moves to the southeast. The City of Halstead put a well in there. I don't know what Halstead's concerns are with this area. I am concerned with Wichita taking the Little Arkansas River and putting it down into it. If they are determined to pollute it I just don't know where it is going to start at. I just wanted to make you aware of what I know.

HENTZEN Do you know the depth to water table?

GARVEY It is higher now because Wichita has not been using it.

HENTZEN What is the depth, 10 foot, 20 foot?

GARVEY Higher than it was?

BLACK Our well is 96 feet right now. That is where our well is.

HENTZEN If you dig down in your yard when will you hit water?

GARVEY When I first moved there you could hit at 12 feet.

MCNEELY If you still have a question on that, the staff report from the Equus Beds manager gives the high and low points within this area on the water table.

JACK BROWN (Environmental Health), We were asked to review this plat when it was proposed. We do have some concerns, along with the Water Department, about the impacts on ground water. Generally the ground water elevations are 7 feet to 19 feet below the surface in this particular area. Historically, our office does know that we have had impacts to the ground water through conventional septic systems with nitrates. And of course with a septic system, particularly a high-density development as proposed, it does not take out household products such as solvents, cleaners, thinners and those types of things. Given the high rates, another thing a high is this sandy area, very poor soil. Perhaps the applicant can give a little bit more site specific information. None the less, we feel that septic systems would have a negative impact on the ground water and that is the basis for our position for this particular plat. One thing everyone should consider is when we talk about alternative systems, what does that mean? I'm not sure that I know. I think it needs to be more clearly defined. I may also point out we have no track record for alternative systems in this part of the country. Our office, last year, approved a one lot alternative system using a drip irrigation system and an aerated septic tank and that system has only been in for a very short time. I think jumping into alternative systems as a solution really needs some through review, because what is an alternative system? How is that alternative system designed? Does it use drip irrigation? Is it a discharging system? Does it use a conventional lateral field? And maintenance is a very critical aspect of this. From what I have been told and some from some of the literature that I have looked at, the aerated septic tanks, if they are maintained and working under optimum conditions will reduce nitrates. They don't remove them totally, but they do reduce them over a conventional system. However, if that system for any reason is not properly maintained or fails, then that alternative system is not going to be giving off affluent that is any better than a conventional system and perhaps even worse. I think a lot of consideration still needs to be given to systems other than those that we have used in the past. That concludes my remarks.

DAVID WARREN, (Director of Water and Sewer, The City of Wichita) The City of Wichita speaks in opposition to this particular development. The City of Wichita's water supply is taken out of the Equus Beds in this particular area. The development of high density, urban type density development in this area is contrary to the best interest of the City both in terms of water quality and in terms of water quantity. We have concerns about what are alternative sewer treatment systems, onsite treatment systems? There also has to be a concern about the maintenance to these. Contrary to what might have been represented to you, that residences would properly maintain these systems, the truth of the matter is that these are non-permitted systems from the standpoint of a municipal system which has a MPEDS permit which has oversight from both the EPA and KDHE. The City or the public entity operating such a system has a legal obligation and has oversight with regard to how well it is operated and maintained. That is not the case for individual systems. Further, the development of individual wells on these sites threatens the quantity of the water that would be able to be produced from the Equus beds. Mr. Foraker represented to you that the City of Bentley gets its water from the City of Wichita so they said it comes out of the same places. Well there is a substantial difference there. The City of Wichita and the water it sells to Bentley are based on water rights that the City has acquired and which represents a safe yield from that facility. So it is not the same thing. Additional water is taken out that is outside of a perfected water right. It is not the same thing. Again, on the basis of protecting the City's water quality and the water quantity and water rights in this area, we respectfully request that you not approve this development.

BISHOP Mr. Warren, if in the event this Commission approves this application, would you recommend to the City of Wichita to create another resolution similar to that which was done for the other development?

DAVID WARREN I would go to City Council and seek their opposition.

WARREN How many surface acres would be involved in the Equus beds? How much land area does that thing cover?

DAVID WARREN It extends north of Wichita to north of McPherson. It is a substantial area.

WARREN I guess what I'm hearing is almost a condemnation of that land to agriculture if what I am hearing is going to stand, and that concerns me a little bit. I think the landowners out there have a right to develop this in two acre tracts with septic systems or with some kind of approved system as opposed to maybe 87,000 square feet more or less as opposed to 40,000 which is being requested here with an approved system. Given the choice which would you have?

DAVID WARREN I don't think there is any right for anyone to impair the water rights of another entity or to impair water quality in the State of Kansas. That is not a right.

HENTZEN Thank you Mr. Warren.

GAROFALO Would the City be in opposition if services were extended by Bentley?

DAVID WARREN No

HENTZEN Is there anyone else to speak? Does the applicant have a two minute rebuttal?

KROUT Yes, if he wants to.

HENTZEN If you want to speak again, Mr. Foraker.

FORAKER Thank you, I would just like to make a statement. When we met with planning staff a year ago, to discuss this plat, we were encouraged to go on. We were told that the City of Wichita through the City of Bentley would be happy to supply us all the water that we needed for the necessary lots that we wanted to develop. Currently we are being limited to one acre because of the onsite systems. SF-20 zoning allows ½ acre development and with public water and sewer we could potentially go to 10,000 square foot lots. So we could possibly double, if not triple, the amount of water use if everything could come into place, zoning, platting, and all that. So that was represented to us and that was one of the reason that we did pursue public services and were denied. I would also like to say that currently State water regulations allow private wells for domestic uses and so I would just represent that there is a right for private wells for domestic uses on this property and not be considered as impairing the rights of another individual or municipality because that is currently what State water regulations are until those are changed, which I have heard that there is a move to perhaps, that we are operating under current water regulations.

HENTZEN Any further questions? Let's bring it back to the Commission, what do you prefer?

MOTION: To deny the request for the zoning.

GAROFALO moved, **BISHOP** seconded the motion.

KROUT Based on the information and findings in the staff report?

GAROFALO Based on all of the information provided in the staff report and the opposition of the City and the health and environmental issues and so forth.

HENTZEN We have a motion and second to deny this request. Is there any discussion?

WARREN I am going to oppose the motion, just out of respect to the applicant. In order to this case to give them the opportunity, at least, to present their side to some of these objections.

HENTZEN I have a comment about that too. This is an opportunity to get the County to adopt a policy one way or the other if they are going to let them happen, because this is a big County. I think that if we don't allow them to set a policy and keep their feet to the fire to do it then the developers all over the County don't know what might happen.

MOTION: To defer this item the requested time and it indicates in the write-up that the County will get it done within 90 days so that is my substitute motion to defer the motion for three months.

HENTZEN moved, **WARREN** seconded the motion.

MARNELL I am going to vote for the substitute motion which does not have a bearing on how I would vote on the motion if we were to vote on it if it comes back to us because of that. But in all the period that I have been on this Commission, I can not recall a single time when we have had an applicant ask for a deferral that it wasn't granted, and I think it would be inconsistent not to grant this one, and it won't hurt us to hear the applicant's information.

BISHOP I'm going to vote against the substitute motion. I would like to point out that the process of the County, developing a policy is certainly unknown in terms of time frame. I would just like to underline that for anybody that is interested in the development of urban density, urban density neighborhoods out in the rural areas of the County I think they should carefully pay attention to the policy that the County is or is not developing relative to whether it is an alternative community waste disposal system or alternative individual disposal system. That has a serious impact on all of us and I hope that along with this case that issue will receive some attention, especially by County residence who live in the County and not in the City. There is a tendency in this community for us to act as if the City and County exist in different universes, and we don't. We are all together.

HENTZEN Any other comments? We are voting on the substitute motion to defer it for approximately 90 days.

KROUT May 9th would be 3 months from today, the first meeting in May, so for the record and so we are not required to send out additional notices if you can identify May 9th as the hearing date.

HENTZEN I would be happy to use May 9th as the date of the deferral.

WELLS What if at that time the County has not been able to develop the policy?

HENTZEN I don't want to decide what we will do then. But, my thoughts are that if they don't come up with anything then, we are going to decide on the basis on what we heard today and maybe at that meeting too.

WARREN We heard a lot about the disastrous effects of septic systems and yet not once from the applicant have I heard that he intends to put in that kind of septic system. So I inquired as to whether a protective overlay would be helpful because if you don't have a County approved system you can't do it, and I think that is agreeable so that would be the other alternative to an out and out denial would be that you couldn't build on it until you got that.

KROUT Just to try to clarify that statement, the County approves or doesn't approve or puts conditions on sanitation system as part of the subdivision process, and so when and if this property owner submits a plat, it will be the County's responsibility to approve or not approve something under the sanitation code. Now, maybe there is a suggestion that they don't have the authority to approve an alternative system under the sanitation code as it exist today. I haven't read the sanitation code so I don't know if that is true or not, but I think that putting an overlay on it would be unnecessary, because that is a subdivision issue. What is the proper system? What is the appropriate density that will protect the ground water and any other resources? That is a subdivision decision, so I don't think that you need to add any kind of overlay to do that.

WARREN In case there was some question why I think that has been offered. If there was some question whether or not the County had that responsibility and or the authority, then a protective overlay would give it to him.

BISHOP I have a question, possibly of the applicant. If the motion to defer is successful, will this go back before the Bentley Planning Commission prior to coming back to the MAPC?

FORAKER I would say yes. It was specifically described in the motion that once we could have an alternative system or met an alternative system policy or have a policy in place, I would like to take it back and represent it to them for consideration. So I think that would be our intent because we are in the "zone of influence" of Bentley and I would like to have them involved in the process from the start.

BISHOP That is the way your letter read so I wanted to have that clarified.

KROUT Jess, do you know does the Bentley Planning Commission meets every month on the first Monday? I want to make sure that if we do this for three months that we have enough time. Because in this case we will have to also send out an advertisement and notice about both meetings.

MCNEELY The last time they met was Jan 28th. I believe their meetings are monthly.

KROUT So the end of April, you think, Harlan, that you will be able to schedule something with the Bentley Planning Commission?

FORAKER Yes, that would be our intent, they are flexible and we could call a special meeting, if necessary, just as soon as we had something to bring before them.

KROUT Okay

BLACK Would you tell the Commission what type of houses are going to be out there.

FORAKER Residential design manufactured housing is what is intended. If I could share with you on that same note, if you ever have an opportunity to be out in that area, there are a mixture of homes out there. Everything from trailer housing to 30 to 40 year old wood frame to modular homes. I would say the majority are modular homes out there.

HENTZEN We have a substitute motion, deferral until May 9th.

KROUT This case will be deferred, we will send out notices when we find out the exact date of the Bentley Planning Commission hearing and that raises an interesting legal question as to whether or not if Bentley reverses their decision it will still require an unanimous vote or not of the County Commissioners eventually, and we will look into that issue over the next three months.

HENTZEN What kind of sewage treatment system does Bentley currently have?

AUDIENCE SPEAKER Lagoons that are already over capacity.

MOTION: To approve, subject to staff comments and citing the findings in their report.

GAROFALO moved, to deny the request **BISHOP** seconded the motion. (No vote taken)

SUBSTITUTE MOTION: To defer the item for three months to May 9th.

HENTZEN moved, **WARREN** seconded the motion, and it carried (7-3). **GAROFALO, BISHOP, BLAKE** opposed to the motion.

6. **CON2002-00001** – HDD Inc., c/o Matt Fruend (owner/applicant) request a Conditional Use to permit two non-Commercial aircraft hangars to serve the Lake Waltanna Airstrip on property described as:

Lot 1 and Reserve A, Richstreet 2nd, Addition, Wichita, Kansas. Generally located North of 55th Street South and west of 231st Street West.

SCOTT KNEBEL Planning staff, presented staff report, presented slides. If this is approved the airstrip is on the left hand side of the picture and runs north and south. This is the Lake Waltanna residence to the northeast these are additional residences and the Lake Waltanna area to the east to the farm ground to the south a large lot subdivision to the southwest that also has an airstrip that runs northeast, southwest in this location here and then farm ground to the west and to the northwest.

The Planning staff is recommending that this request be approved we have worked with the applicant that to come up with conditions that quite frankly represent the applicant's request for approval they have indicated that they would like these to be

aircraft hangars for non-commercial aircraft that would be restricted to use by homeowners in the Lake Waltanna Homeowners Association and that there not be any business activities and we added in this including an aircraft repair business in these hangars we also put some limitations on the size of the hangars as well as the height and the color of the hangars. Since the Zoning Administrator has determined that the hangars themselves would have to serve as an permitted airstrip we have a conditional of approval in there that would require the applicant to provide written documentation that he has access to the adjoining airstrip and that would be recorded with the deed on the property for the hangars for a permanent record that there is access to that airstrip. We have also recommended no outside storage of aircraft, no storage of fuel although the applicant has indicated that in the long term at least not immediately but long term would like to be able to store fuel on there and I think from Planning staff's perspective if we perhaps put a stipulation requiring approval from appropriate fire and health agencies that might be appropriate. Also, as we do with all Conditional Use it would require conformance with the site plan, related to that the applicant did submit a revised site plan drawing that I had passed out during the meeting today and it relocates the proposed buildings a little bit further to the north and a little bit further to the east. The applicant indicated to me and I will let him specifically address this to you that he had made the change in the site plan at the request of the owner of the airstrip located to the southwest and my understanding of it is that these building locations are in a safer location in regards to air safety regarding that airstrip to the southwest. These recommendations are based on findings that are found on page 4 and 5 of your staff report.

HENTZEN I have a question, who owns the airstrip?

KNEBEL It is owned by the Miles Village Lake Waltanna Homeowners Association.

HENTZEN The applicant is different than the Homeowners Association?

KNEBEL That is correct. The applicant is HDD, Inc. I believe they are the Company that owns the property where the hangars would be and they are represented by Matt Freund who is here to speak to you today.

MATT FRUEND, (Applicant), 10 Lakeridge Drive, I work at Cessna and I own an old Cessna aircraft. I need a place to store my aircraft indoors. This is the sole reason for this effort. Perhaps I could point out, this house right here is my house. Under the present rule, residential zoning, the buildings as shown in the site plan can be constructed for agriculture use without this approval. This approval will merely allow aircraft not related to agriculture to be parked in these buildings. Your Conditional Use approval will not change who is allowed to use the runway. As the owner of the airstrip Miles Village Lake Waltanna Homeowners Association, Inc., controls who may use the airstrip. Anyone violating the rules that they set out is guilty of criminal trespassing.

I feel this project satisfies the purpose statements in the Wichita Sedgwick County Unified Zoning Code. For Item (2) "To provide for rural, suburban, and Urban residential areas which provide a variety of housing opportunities." Wichita is billed as the "Air Capital of the World". The ability to live near one's airplane is a dream for many aviation nuts. For Item (5) "To maintain a transportation system which provides a diverse set of convenient opportunities for travel to local, regional, and national destinations." Common trips for our family include local trips (Ponca City for dinner), regional (Colorado for skiing), and national (Arizona to visit relatives) destinations. The convenience of being able to depart from home is hard to overstate.

I would like to request two minor changes. At the request of an adjacent property owner the hangars were relocated north and east. I would request the inclusion of the revised site plan in the final motion.

Secondly, in the final motion, I respectfully request the deletion of condition (4) which states, "On-site storage or dispensing of aircraft fuel shall not be permitted." I believe this would still be consistent with the planning staff findings, which state that, "The Rural category is intended to accommodate agricultural uses, (and) rural based uses that are no more offensive than normal agricultural uses..". I submit that it would be unusual to find an agricultural property without a farm fuel tank. Aircraft fuel is no more hazardous than the diesel or gas normally stored for agricultural uses. By virtue of its critical application, aircraft fuel requires care and concern for the tank and dispensing not usually seen with agricultural uses. I do not have a near term need for fuel. However, I would like the option at a later time if it becomes necessary.

WARREN Item 4 was something that you objected to and what part of Item (1)?

FRUEND Only Item 4 in its entirety, which is the condition on site storage or dispensing of aircraft fuel shall not be permitted.

WARREN That is the only thing really of concern to you?

FRUEND Yes, other than the revised site plan.

HENTZEN Is there anyone in the audience to speak on this item?

FRED JAMISON, (22 S LAKEVIEW DRIVE, GODDARD, KS 67052), I am here to speak in opposition of the approval of this request. I think as your planner mentioned up front, there was an application that ultimately resulted in the withdraw of that request. You don't know the reason for that withdraw, but the reason for that withdraw was that there was so much community opposition to that, and so many hard feelings as a result of that proposal that they thought in order to maintain some kind of harmony in the community that it would best to withdraw that request. I have been a residence of Lake Waltanna about six years. When my family and I were considering moving to the Wichita area we looked at many, many, areas in Sedgwick County and Wichita itself. Also in looking at those areas we were compelled to look at the restrictive covenants that govern those areas. One of the things that we saw, certainly at Lake Waltanna, that appealed to us was the fact that it was rural, it was in the Goddard School District. It had a lake. It had a place for horses, and it had an airstrip. But, with every one of those there were some fairly well defined restrictive covenants surrounding the use of all of those items, and in particular the airstrip; that you must either cover your plane outside or own a home or purchase a lot and build a hangar on that property, which is Lake Waltanna property. I think that you will find that if you drive into the Lake Waltanna area, that the hangars are almost unnoticeable. Most of them are attached to the homes. They look like big garages. So to begin to place hangars outside of the Lake Waltanna area by themselves begins to turn Lake Waltanna into a airfield with a community rather than a community with an airfield. That was a very strong statement that we made

at that time. Other concerns are that there has to be use rights granted by the Homeowners Association I have to admitted that I am not as active in the Homeowners Association as I should be, but I would definitely become active when a number of my neighbors knock on my door and say are you aware that this is happening? The Homeowners across the board do not wish to have stand alone hangars in their area.

WARREN Where do you live?

JAMISON Pointing to aerial on the screen. I live two houses from the west border of the lake. I am not here today just talking about my own general interest. I think I am here today representing what I believe today as the majority of the Homeowners.

WARREN Do you have an airplane?

BISHOP Some hangars are already there, like you mentioned. Are there also gas tanks with airplane fuel? Do any of the other owners have gas tanks that you would be aware of?

JAMISON I ride my bicycle. I haven't seen any, but I think the one hangar that is closest to the one being proposed is kind of back off away in some trees. There may be a tank back there, but I am not sure.

MARNELL Are you here speaking officially for the Homeowners Association?

JAMISON No.

MARNELL Is that piece of land contained within the Homeowners Association control?

JAMISON No.

MARILYN WHISMAN, (12 Lakewood Drive, Goddard, KS), I have been a resident for 13 years. If the Homeowners Association is required to grant legal access from the proposed property to the airstrip; if the people that own that property that is being proposed for the hangars; if they move and sell to people that are not Lake Waltanna residents, does that automatically mean that we have granted access that goes into perpetuity with that property? Because once the owners of that property are no longer Lake Waltanna residence then I think we have lost control. My concern is that the official word coming from the Board as it is stated in the proposal is that it would be legal and that the Homeowners Association and the entire residents of the Association would be aware of the commitment long-term that is being made. My second concern is the storage of fuel. I don't know if there is storage of fuel on-site, but I will say that we pay some of the highest insurance rates, and we are a community of lovely homes. We all have shake shingle roofs maybe with the exception of two. My concern is the dryness of climate. The winds that we have here that if that would be granted that it would be a safe, secure, and continually monitored situation.

RON BLUM (11 Lakeridge Drive), I am along the runway and I do have an airplane in the hangar, regrettably still because the weather is bad. I do sit on the Board of Lake Waltanna Homeowner's Association. The Board of Lake Waltanna did approve the hangars and the access to the runway prior to the meeting and this second proposal. Access to the runway is a huge thing to everybody involved. I think, as our current covenants and bylaws state, we should not have to put anything in writing to allow them access to the runway because they currently have access as homeowners to the runway. If we grant that property access, who is going to take that access away later when it is sold to people outside of Lake Waltanna? But I do believe that they currently do have access to the runway as a resident of Lake Waltanna. The insurance rates are high solely because we are a shake roof, by covenant, subdivision. The Board is currently working on alternatives to the shake roof.

GAROFALO I'm confused, are you for this or against it?

BLUM Very for hangars going in to extend the amenities for Lake Waltanna. I have concerns of a non Lake Waltanna residence owning the hangars that won't legally have access to the runway, but we have four wheelers that come into the subdivision that are not legally there. They are on County roads.

GAROFALO With regard to that point, aren't people using the runway restricted to Waltanna residents?

BLUM Yes, and their guest. There can be no permanent storage, permanent hangar of an airplane at Lake Waltanna except for residence.

NICK MARDIS, (15 Lakeridge), I have lived there since 1976. My dad was a navy flight instructor. I grew up with airplanes. I have no problem with this. These folks don't know about the other try. This is the third try. He bought it from the homeowners association, the second try. First of all, there was a lot of people who said things that wasn't right. The people who want to build are owners of lake. So, why can't they build hangars? We have a brand new hangar that sits right of the end of the runway. It does not match his house. It is an unattached hangar. This guy lost his vision to the west. My wife can't see the lake. I can access that runway anywhere within 600 miles. That's what this is all about. These guys want to pursue their hobby. I found insurance for \$1,000 for a year. Also the Chairperson that answers to the Board for the runway also.

CHARLES LLOYD, (21 South Lakewood Drive, Goddard Kansas in Lake Waltanna), I am presently employed as a captain for an ownership company that is the largest customer for general aviation aircraft in this County. What does that mean? Jobs, a major job for me. Paradise, that's Lake Waltanna. Were talking about airplanes today, we live on a lakefront. When I grew up I had access to boats as a kid. In the summer time, on Lake Waltanna, we had up to 3 jet skis on the lake all day long. We also have stables at Lake Waltanna. Who would forget Elizabeth Taylor in "National Velvet". The little girl and her horse. Now horses walk up and down streets at Lake Waltanna and leave calling cards here and there. We can get uptight about those by they wash down into the lawn and fertilize it and we go on about our business. One of my dreams was to own an airplane. However when I do leave there I tie it down outside. I prefer to leave it in a hangar. I have to commute 1 hour to get to a hangar. As I see it, there's a lot of people pursuing hobbies out there and I really think we really out to live and let live.

HARVEY WHITAKER, (9 Lakewood, Goddard, KS), I'm on the board. The people who came to me concerned about this is not as much about the hangars as it is the access. If they are granted, everybody would like to see something put in writing that says you have to be a Homeowner on there no matter what, and I don't know legally how, if you give access to the hangars now and somebody else moves in, how that will grandfather in.

HENTZEN Are you for against this request?

WHITAKER I'm not against the hangars as long as we can keep it controlled under the Homeowners Association.

JOHNSON Since this is a Conditional Use there are requirements that have to be met. It states in one of the requirements that this will have to be used by a Homeowner if that becomes somebody a non-homeowner using it the Conditional Use permit could go away and they wouldn't have access to them. So I think that issue is covered, because I can see where that is a concern, but I think that has been addressed. Even though it is a zoning case it is still a Conditional Use and it has to meet certain stipulations that we vote on if we approve it.

WHITAKER A lot of them had concern, you have to live there to use it.

FRIEND, Mr. Jamison noted community opposition and to that end I would like to present that there were two individuals here out of 90 that were notified. Not by you guys because they are outside a 1000 foot radius, but by a orange leaflet distributed by Ms. Whitsman. In the packet of information that you were supplied from the minutes of Tuesday, February 16, 1999, meeting, the vote I believe was 16 in favor of and 6 voted against. What I would submit to you is that the minority that is opposed to this a very small minority. There is no language in the restrictive covenants that addresses what Mr. Jamison spoke about. There is currently an existing hangar that is off of Lake Waltanna property and I don't think that has posed any problem to anyone out there. With regard to the access control, I am not going to have time to run through that but I think the conditions that have been set forth are reasonable, and satisfy our needs while protecting their concerns.

HENTZEN Any further questions, we will bring it back to the Commission.

JOHNSON Since I was one who got to hear this case before, Lake Waltanna is a very unique area. It has been there for a number of years. It is a very nice well-kept area. But I do know in certain situations that have taken place over the years that it has been there that there are some very, very, very, nice well kept residences there and there are some that are not as well kept and have been resold and people have tried to make some changes. I know in some cases that it has been hard to do what was wrote years ago on their requirements, but most people I have been associated with went ahead and spent the money to go ahead and do whatever additions they wanted to and try to met what was stated. I know the insurance is a big deal on the shake shingle roof. I know some residences that probably are not even fully insured because of that and so everything that has been stated today I think is true, but the airstrip was there from day one and I think the hangars are a good deal. I know of some hangars that were built there. My company constructed a hangar there years ago and at the time that it was done we heard very little about it and it is still there and being used.

KNEBEL My recommendation was that if you did feel like that it was necessary to put requirements regarding the fuel that you state that it be permitted by the applicable Health and Fire agencies.

HENTZEN Before we vote on it I think Item 2 is us trying to force the interpretation of the covenants out there. I wish we wouldn't do that.

KNEBEL That is not accurate.

HENTZEN What makes you think that?

KNEBEL Item number 2 is an attempt to address the Zoning Code which permits a hangar only as an accessory use to a permitted airstrip. Were there to be no airstrip in this location or no access to one this Board would not be able to grant a Conditional Use for a hangar and that is that intent of Item 2.

HENTZEN Am I the only one concerned about enforcing covenants which generally is not the purview of the County or the City or us. It is the Homeowners Association and the people who live there.

MILLER County Code Enforcement indicated to us that they would be reluctant to us to issue a building permit unless there was some proof that this air hangar had access to a airstrip because they don't want to see a building that is not agriculturally related out there that would then present an enforcement problem.

HENTZEN How about a flying farmer? Does he have to get a Conditional Use permit to have his own airplane?

MILLER If he can show that it is agriculture related I would assume he would not.

KNEBEL That is an accessory use on a property that has other uses on it. These hangars would be the only use of this property which is an important distinction under the Zoning Code. This is the principal use of the property.

HENTZEN In answer to my question, does he or does he not have to get a Conditional Use permit?

KNEBEL He would not have to get a Conditional Use. Just like the residents that have hangars on their residential properties are not required to get it because that is accessory to the principal use of the property. These hangars are proposed to be the only and the principal use of the lot which is an important distinction under the Zoning Code.

KROUT I understand your concern about the public enforcing covenants. They are not actually enforcing any private covenants. They are just saying that the County Code Enforcement should see that covenant as the evidence that this is going to be an accessory use for the residences out there. But it is not enforcing the Homeowners covenants.

HENTZEN I certainly agree with Mr. Johnson about Lake Waltanna.

GAROFALO I just wanted clarification from staff the 2.34 acres just involves the site of the hangars?

KNEBEL That is correct.

GAROFALO Not any of the other lots?

KNEBEL That red outline there is a platted lot that is 2.34 acres.

MOTION: To approve, subject to staff comments and citing the findings in their report.

JOHNSON moved, to approve and change Item #4 to read that it be permitted by the applicable Health and Fire agencies. **COULTER** seconded the motion, and it carried unanimously (10-0).

KROUT We will have a March 1st retreat. The Chairman authorized me to send the elected officials, all of them, City Council and County Commissioners, to join us for the beginning of that meeting to talk about the relationship between the Planning Commission and the elected officials. We will send out notices.

The Metropolitan Area Planning Department informally adjourned at 3:30 p.m.

State of Kansas)
Sedgwick County) ss

I, Marvin S. Krout, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, do hereby certify that the foregoing copy of the minutes of the meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, held on _____, is a true and correct copy of the minutes officially approved by such Commission.

Given under my hand and official seal this _____ day of _____, 2002.

Marvin S. Krout, Secretary
Wichita-Sedgwick County Metropolitan
Area Planning Commission

(SEAL)